REMARKS

This is in response to the Office Action (final) mailed August 8, 2005. Claims 50, 52-61, and 63-65 are pending. All of these claims had been rejected by the Examiner. Claim 61 has also been objected to by the Examiner. Claims 50, 56, and 61 have been amended for clarity. In view of the Arguments appearing below and the amendment to Claim 61, Applicants respectfully requests reconsideration and removal of the rejection of all of the pending claims.

The Examiner has objected to Claim 61 for the informality of misspelling "further" as "futher." Correction is hereby made by amendment to Claim 61. Removal of this objection is hereby requested in view of the amendment. The Examiner has also rejected Claim 61 for indefiniteness for certain language including the phrase "to that," which confusion appears to have stemmed from a typographical error that has now been removed by amendment to Claim 61. Removal of this rejection is hereby requested in view of the amendment.

The Examiner has rejected Claims 50, 52-61, and 63-65 under 35 USC 103(a) for obviousness over US Patent 6,697,846 to Soltis in view of US Patent 6,493,804 to Soltis et. al. Applicants' invention is directed to either a method or program product for accessing data stored in a data storage location in a data storage device using the metadata of the file in a client server architecture. Using metadata received from the server, the client produces at least one data access command based on the metadata received from the server. The data access command produced from the metadata received from the server is sent by the client to the data storage device for accessing data stored on the data storage device that comprises at least a portion of the file for which the lock is granted. The advantage of Applicants' invention is that the file server

provides direct data sharing for the clients by providing the metadata to allow the client to produce a data access command based on the metadata, and thus allows the server by providing the metadata and an access lock to act as an arbitrator and coordinator data access by the clients. This is not taught or suggested by either Soltis alone or in combination with Soltis et. al as is now discussed by respectfully pointing out differences which may not have been readily apparent to the Examiner on his first review.

Soltis is directed to a meta-data server that stores meta-data for data shared on network attached storage devices, but does not teach or suggest using metadata received from the server to produce a data access command based on the metadata received from the server. The Examiner has correctly noted that Soltis does not disclose using the metadata to produce a data access command, but has asserted that a secondary reference Soltis et. al discloses such. Applicants' respectfully disagree, and ask for reconsideration by the Examiner of this point.

Soltis et. al. teaches away from Applicants' claimed invention because it advocates a serverless architecture, i.e. there is no client/server architecture (See Soltis et. al at for example at Col. 6, lines 10-25). The Examiner has indicated that Soltis et al. teaches using metadata from the file to issue actions to produce a data access command. But Soltis et al. does not teach receiving metadata from the server because it teaches a serverless architecture, and therefore does not use such received metadata to produce a data access command based on the metadata as claimed in Applicants' amended independent Claims 50 and 61, and also in amended Claim 56, and inherited in each dependent claim. Instead Soltis et. al at the locations cited by the Examiner teaches a serverless client issuing actions to a storage device to perform operations on a file lock (Abstract and Col. 15, lines 27-39), which is very different from receiving metadata from a

server and using the metadata to produce a data access command based on the metadata.

It would not be obvious to combine Soltis and Soltis et al. because there is no teaching or suggestion in either to provide either a method or program product for accessing data stored in a data storage location in a data storage device using the metadata of the file in a client server architecture. Nor is there a teaching or suggestion of using metadata received from the server to produce at least one data access command based on the metadata received from the server for accessing data stored on the data storage device that comprises at least a portion of the file for which the lock is granted. As discussed above, the advantage of Applicants' invention is that the file server provides direct data sharing for the clients by providing the metadata to allow the client to produce a data access command based on the metadata, and thus allows the server by providing the metadata and an access lock to act as an arbitrator and coordinator data access by the clients. This is not taught or suggested by either Soltis alone or in combination with Soltis et. al and thus combination of the two prior art references yield Applicants' claimed invention.

Applicants respectfully assert that the obviousness rejection of Applicants' now amended and pending Claims 50, 52-61 and 63-65 is unwarranted and removal of this rejection is hereby requested.

In view of the foregoing, the Applicants believe that the application is in condition for allowance and respectfully request favorable reconsideration.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at (508) 293-6985.

Please charge all fees occasioned by this submission to Deposit Account No. 05-0889.

Respectfully submitted,

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